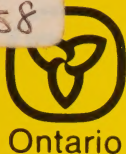


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Ministry of
Consumer and
Commercial
Relations

Personal
Property
Registration
Central
Office

400 University Ave.
15th Floor
Toronto, Ontario
M7A 2J5

MOTOR VEHICLE ENQUIRY GUIDE

FOR THE PERSONAL PROPERTY SECURITY REGISTRATION SYSTEM

This Guide applies effective April 1, 1977

The information contained in this Guide
has been set out for convenience only.

For accurate reference, recourse should be had
to the legislation and Regulations.



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FOREWORD

To perfect a security interest by registration in the personal property security registration system a financing statement must be registered in the system and it must be tendered for registration,

- (a) by personal delivery to any branch office; or
- (b) by mail addressed to an address fixed by the regulations,

and the registration is effective from the time assigned to the registration.

As of the date of this guide, a financing statement or financing change statement tendered for registration by personal delivery to a branch office will, if accepted, be assigned a current registration time and subsequently be forwarded to the central office to be recorded in the system. It is the Ministry's intention to endeavour to reduce this time lag to a minimum — to have all the registrations made on any given business day recorded in the system by 10:00 A.M. the next business day, ready for enquiry purposes. This means that a person who takes no step to protect himself and relies on the information provided by the system may find that a registration has been made after the file currency date but is not yet recorded in the system and therefore not reported on enquiry.

There are a number of ways the Ministry could eliminate the time lag. The Ministry could, for example, eliminate registrations at the branch offices or assign post dated registration times at the branch offices. Until the problem is eliminated, a person must either accept the risk or take steps to protect himself. To protect himself,

- (a) a lender could close a transaction (completing registration at a branch office) but not advance funds until a search on the next business day has been made that discloses only his and other known registrations, or
- (b) a purchaser could close a transaction with all documentation, etc., being held in escrow until a search on the next business day has been made that discloses only known registrations.

The currency of the file is stated in every response and should be noted by the enquirer.

Ontario Ministry of Consumer & Commercial Relations
Miscellaneous publication

MOTOR VEHICLE SERIAL NUMBER

“Motor vehicle” means an automobile, motorized snow vehicle and any other vehicle propelled or driven otherwise than by muscular power, but does not include,

- (i) the cars of electric or steam railways or other vehicles running only upon rails,
- (ii) a traction engine,
- (iii) a farm tractor,
- (iv) a self-propelled implement of husbandry,
- (v) a road building machine, or
- (vi) a craft intended primarily for use in the air or in or upon the water.

“Serial number” means the number stamped or affixed to a vehicle for identification purposes, and if assigned by the manufacturer, means the manufacturer’s number used to identify the vehicle (and may otherwise be known as the vehicle identification number or V.I.N.).

For a late model North American motor vehicle, the number is on a plate affixed by the manufacturer and usually located on the dashboard on the driver’s side of the vehicle just inside the windshield.

INTRODUCTION

When buying a motor vehicle, a purchaser must be certain the seller has the right to sell the vehicle and that no other person holds title to the vehicle or holds some form of lien against the vehicle.

The search facilities provided by the personal property security registration system are intended to provide a means whereby a purchaser can ascertain the existence of a particular form of lien, i.e., a security interest perfected by registration.

The motor vehicle serial number index is one of the search facilities and is created in the following manner:

The Regulations under The Personal Property Security Act require, where a motor vehicle is collateral in a security agreement, the motor vehicle,

- (i) if classified as consumer goods, must be described, or
- (ii) if classified as inventory or equipment, may be described

on line 11 or 12 of the financing statement that must be registered in order to perfect the security interest in the motor vehicle.

If a motor vehicle is described on line 11 or 12 of a financing statement, the data that appears in the space designated SERIAL NUMBER is indexed in the motor vehicle serial number index.

For enquiry purposes, the consequence is twofold,

- (i) the search is on the data as it appears on the financing statement, and
- (ii) the motor vehicle serial number index includes primarily only consumer transactions. This can be particularly significant when purchasing a vehicle privately (see page 7).

WHAT ARE THE BASICS OF THE SYSTEM?

In order to conduct an effective enquiry, the enquirer must understand the basics of the system.

To perfect a security interest by registration, the secured party or his agent must prepare a financing statement and submit it for registration. After registration, the original copy of the financing statement is forwarded by the branch office to the central office where the information on the financing statement is transcribed onto a computer file and indexed under the name of the debtor (See the Debtor Name Enquiry Guide) and under the motor vehicle serial number — as the number is set out on the financing statement in the designated space on line 11 or 12.

Where a financing change statement (form 2B or 3B) is registered, it is related to the registered financing statement by the reference registration number shown on line 52 (form 2B) or line 33 (form 3B). Therefore, if the correct reference registration number has been shown in the financing change statement, an enquiry response will include the information not only on the currently registered financing statement but also on all registered financing change statements referenced to the financing statement.

WHAT ARE THE METHODS OF ENQUIRY?

There are three methods for making an enquiry.

Methods #1 and #2 are telephone enquiries.

Method #3 is by written request.

ENQUIRY METHOD #1: BRANCH OFFICE ENQUIRY (TELEPHONE)

The branch offices are listed in Appendix "E".

An enquiry can be made by attending at any one of 48 branch offices of the registration system, completing the Enquiry Request form and payment of the proper fee. The branch office will place the call to the central office and initiate the enquiry for the enquirer.

ENQUIRY METHOD #2: DEPOSIT ACCOUNT ENQUIRY (TELEPHONE)

A deposit account can be established with the central office of the registration system. Thereafter the account holder may make enquiries from any telephone. The proper fee for the enquiry will automatically be debited from the amount in the account at the time of enquiry. For further information, send for the Deposit Account Guide (see Appendix "C").

ENQUIRY METHOD #3: WRITTEN ENQUIRY

A person may write to the central office giving the motor vehicle serial number to be searched, identifying the type of search to be made and the type of response required, enclosing a cheque (payable to "TREASURER OF ONTARIO") for the proper fee (see Fee Schedule, Appendix "B").

A sample form is provided in Appendix "D" which may be duplicated and used for submitting written enquiries.

The address for written enquiry is:

Personal Property Registration Central Office
Ministry of Consumer and Commercial Relations
Enquiry Department
400 University Avenue, 15th floor
Toronto, Ontario
M7A 2J5

HOW IS A TELEPHONE ENQUIRY HANDLED?

The telephone call is answered in the central office by an operator sitting at a computer terminal. The particular computer terminal is a television-like display screen to which a keyboard is attached. When the enquirer identifies to the operator the details of the enquiry, the operator will enter the serial number to be searched into the computer via the keyboard. If there are registrations on file, an index screen will list the motor vehicles and the details will appear on the screen, one "page" at a time, and the operator will inform the enquirer of the information that is recorded.

In order to be able to fully understand the information given by the operator, it is important to be familiar with the terminology used and with the format of the financing statement and financing change statements. For example, the operator may advise that the collateral classification is consumer goods. It is assumed first of all, that the meaning of collateral classification and of consumer goods is understood. It is also assumed that it is understood the operator is reporting only what is shown on the screen. Therefore, become familiar with the terminology and with the forms (or have forms before you as you make the enquiry).

WHAT ARE THE TYPES OF RESPONSES?

There are three types of responses.

RESPONSE TYPE #1: CERTIFICATE

The Personal Property Security Act provides:

“Upon the request of any person and upon payment of the prescribed fee the registrar shall issue a certificate stating whether there is registered at the time mentioned in the certificate a financing statement or financing change statement the registration of which is still effective in which the . . . serial number . . . shown in the certificate is shown as a . . . motor vehicle serial number . . . and, if there is, the registration number of it, and any other related information recorded in the central file of the registration system.”

The Personal Property Security Act provides for the establishment of an Assurance Fund against which, under certain conditions, a claim can be made by a person who suffers loss or damage as a result of his reliance upon a certificate that is incorrect because of an error or omission in the operation of the system of registration, recording and production of the certificate.

A certificate may be requested either by written enquiry or by telephone enquiry and the certificate will be mailed to the address given by the enquirer.

RESPONSE TYPE #2: UNCERTIFIED PRINTED RESPONSE

The uncertified printed response is “equivalent” to a verbal response. It is provided,

- (i) in response to a written enquiry where the enquirer does not wish a certificate;
or
- (ii) on a telephone enquiry where the enquirer requires the response to be in writing but does not wish a certificate.

A claim cannot be made against the Assurance Fund where the response is an uncertified printed response. (There are two reasons: (i) the Act provides that a claim can be made only when a certificate has been issued, and (ii) on a telephone enquiry the enquirer can select the serial numbers from the index screen that will be reported in the response.)

RESPONSE TYPE #3: VERBAL RESPONSE

If the enquiry is made by telephone, the enquirer can request that the operator verbally report the information that is recorded.

Where the search type is MOTOR VEHICLE there is a possibility there will be more than one registration on file that will match the enquiry details because of the generalized type of search provided. Therefore, the system will either,

- (a) provide the enquiry operator with an index screen on which will be a list of motor vehicles that are recorded against the index key. The enquiry operator will ask the enquirer to select those motor vehicle descriptions which, to the enquirer, are relevant. The enquirer should exercise great caution when making the selection because, for example, the registrant might have made an error when setting out the model year; a model name might be shown rather than make; a model might be shown rather than body style; etc., or
- (b) if the number recorded against the index key is too high, not provide any details verbally — but prepare a printed uncertified response ("high volume printed response").

A claim cannot be made against the Assurance Fund where the response is verbal (or where the response is a high volume printed response).

HOW DOES A PERSON OBTAIN INFORMATION FROM THE SYSTEM CONCERNING SECURITY INTERESTS IN MOTOR VEHICLES?

There are two ways.

An enquiry can be made in the name of the present and previous owners of the vehicle (See the Debtor Name Enquiry Guide) and also against the serial number of the vehicle.

WHAT INFORMATION WILL A DEBTOR NAME ENQUIRY DISCLOSE?

1. A debtor name enquiry will disclose a registration recorded in the name of the owner notwithstanding the serial number has been recorded inaccurately.
2. A debtor name enquiry will disclose not only those registrations in which the vehicle has been classified as consumer goods but also those where the vehicle has been classified as inventory or equipment.

(For an explanation of the significance of this statement, refer to the section of this guide dealing with the purchase of a used vehicle privately under the heading "Used Vehicle — Private Purchase".)

WHAT INFORMATION WILL A MOTOR VEHICLE SERIAL NUMBER ENQUIRY DISCLOSE?

1. A serial number enquiry will disclose all consumer transactions in which the motor vehicle has been used as collateral regardless of who the owner was at the particular time.
2. A serial number enquiry will disclose those consumer transactions in which the vehicle has been used as collateral notwithstanding the name of the owner has been described inaccurately.

WHEN A PERSON IS BUYING A MOTOR VEHICLE, WHAT SEARCHES SHOULD HE MAKE FOR SECURITY INTERESTS?

1. New Vehicle — Dealer

No search is required if the vehicle is a new vehicle being purchased from a motor vehicle dealer and the sale is in the ordinary course of the business of the dealer because,

- (i) the purchaser takes the vehicle free of any security interest in the vehicle created by the dealer, and
- (ii) a responsible dealer will guarantee the vehicle is free of security interests. (For example, if the vehicle was obtained by your dealer from another dealer, the other dealer might have created a security interest in it and you would take the vehicle subject to that security interest.)

DO NOT SEARCH IN THE NAME OF YOUR DEALER because you may be provided with information relating to numerous registrations — and the information, for you as a purchaser, is useless information (because you take the vehicle free of any security interest in the vehicle created by your dealer).

2. Used Vehicle — Dealer

If the vehicle is a used vehicle being purchased from a motor vehicle dealer and the sale is in the ordinary course of the business of the dealer,

- (i) the purchaser takes the vehicle free of any security interest created in the vehicle by the dealer, and
- (ii) a responsible dealer will guarantee the vehicle is free of security interests and will undertake to protect you as purchaser if an undisclosed security interest — created by a previous owner — becomes known.

The risk that a previous owner has created a security interest in the vehicle is significant and the possibility exists the amount owing has not been paid. Therefore, it is important you obtain a guarantee from the dealer. The guarantee should be in writing. The purchaser should assess carefully the willingness and the ability of the dealer to honour the guarantee.

DO NOT SEARCH IN THE NAME OF THE DEALER because you may be provided with information relating to numerous registrations — and the information for you as a purchaser, is useless information (because you take the vehicle free of any security interest in the vehicle created by the dealer).

3. Used Vehicle — Private Purchase

If the vehicle is being purchased privately — for example, as a result of an “ad” in the newspaper — the likelihood is the vehicle has been financed at some time in its history, either by the seller or by a previous owner. A security interest created by the seller or by a previous owner may not have been discharged. Therefore, our recommendation is that you make an enquiry in the name of the seller and in the name of each of the previous owners — **and** make a motor vehicle serial number enquiry.

When making the motor vehicle serial number enquiry, compare the serial number as it appears on the vehicle permit with the serial number on the vehicle itself and, if there is any discrepancy, enquire against BOTH SERIAL NUMBERS.

When making the debtor name enquiry, please note:

- (i) if a previous owner was an automobile dealer, DO NOT SEARCH IN THE NAME OF THE DEALER because you may be provided with information relating to numerous registrations — and the information is useless because the purchaser from the dealer took the vehicle free of any security interest in the vehicle created by the dealer;
- (ii) if the motor vehicle is classified as equipment in the hands of the seller or a previous owner, the vehicle is not required to be described by serial number in the system and, if not described, an enquiry by motor vehicle serial number will not disclose such a registration. The only way to determine if such a security interest is recorded in the system is to make an enquiry by debtor name. (Note that the registration will only indicate that a vehicle is or is not included in the collateral — if the answer is that a motor vehicle is included, the obligation remains with you to ensure the particular vehicle you are interested in purchasing is not included in the collateral. One way to do this, would be to obtain a letter from the secured party verifying that the particular vehicle you are interested in, is not included in the collateral.)

We recommend you also obtain a guarantee from the seller guaranteeing that the vehicle is free of security interests and undertaking to protect you if an undisclosed security interest appears. The guarantee should be in writing. The purchaser should assess carefully the ability and the willingness of the seller to honour the guarantee.

APPENDIX "A"

Example Enquiry Dialogue (Deposit Account Holder)

- E = Enquirer
O = Operator
(in the central office of the personal property security registration system)
-

- O = (answers telephone) Personal Property Enquiry. May I help you?
E = This is the Bank of Ontario calling. I would like to make **one** enquiry.
O = Your account number please.
E = 0001-755
O = Your password please.
E = BOA 147K
O = Type of enquiry?
E = Motor vehicle serial number.
O = May I have the number.
E = 1L75R5A100001
O = Response type?
E = Verbal.
O = I would like to confirm the information.
Account number 0001-755
Password BOA 147K
Type of enquiry: motor vehicle serial number
The serial number to be searched is: 1L75R5A100001

(Editorial Note: particular attention should be paid to the confirmation of the serial number. If the serial number contains alphabetic letters, the enquiry operator will identify the alpha letters by using letter identification phrases. It may assist you, if you become familiar with these phrases — see Appendix "F".)

Response type: verbal.
Is that correct?

- E = Yes, that is correct.
O = The first screen is an index screen. There are three motor vehicles described. Please tell me the ones about which you wish to have further particulars. The first vehicle is: 75 Chevrolet 2 door.
E = Yes, that could be it.
O = I have selected that vehicle. The next vehicle is: 75 Monte Carlo 2 door.
E = Yes, that could be it.

- O = I have selected that vehicle.
The last vehicle is: 76 Oldsmobile Cutlass.
- E = No, I don't want that one.
- O = I will not select that vehicle.
One moment.
The first screen shows a financing statement.
The registration number is 750212 1201 12 6051.
Is there any particular information you wish?
- E = Would you give me all of the information please.
- O = The particulars of the first registration are as follows:
The debtor is William J. Smith. Male.
Date of birth is January 10, 1944.
The address is 12 Amber Road, Rainy River, Ontario.
The secured party is Bank of Ontario, 121 Main Street, Rainy River, Ontario.
The collateral classification is consumer goods; a motor vehicle is included;
the principal amount secured is \$3800; the maturity date is February 6, 1979.
The motor vehicle is described on line 11 as:
75 Chevrolet 2 door serial number 1L75R5A100001.
There is no further information relating to this registration.

The second screen shows a financing statement.
The registration number is 761012 1031 88 1181.
Is there any particular information you wish?
- E = All of the information please.
- O = The particulars of the second registration are as follows:
The debtor is Marion Martin. Female.
Date of birth is March 10, 1941.
The address is 24 Sussex Drive, Windsor, Ontario.
The secured party is the Finance Corporation of Ontario, River Street,
Windsor, Ontario.
The collateral classification is consumer goods; a motor vehicle is included;
the principal amount secured is \$1545; the date of maturity is September 23, 1977.
The motor vehicle is described on line 11 as:
75 Monte Carlo 2 door serial number 1L75R5A100001.
There is no further information relating to this registration.
There are no other registrations recorded in the index in the serial number
you gave me. May I consider this enquiry concluded?
- E = Yes. Thank you.
- O = Thank you. Goodbye.

APPENDIX "B"

FEES SCHEDULE

1. In this Schedule,

"document" means a document registered before The Personal Property Security Act came into force, i.e., a chattel mortgage registered under The Bills of Sale and Chattel Mortgages Act, a contract registered under The Conditional Sales Act or an assignment of book debts registered under The Assignment of Book Debts Act.

"statement" means a financing statement, financing change statement or financing change statement-amendment.

2. The fees to be paid in respect of the following matters are:

1. For registration of a statement	\$ 3.00
2. For a search (verbal response or printed uncertified response)	2.00
3. For a registrar's certificate (certified response)	10.00
4. For production of a document for inspection at the branch office where it is registered (including production of the branch office copy of the statement relating thereto)25
5. For a copy of a document and statement relating thereto at the branch office where it is registered for each page required (including production of the document)50
6. For production of the central office copy of a statement for inspection	5.00
7. For a copy of the central office copy of a statement (not including production of the statement)	1.00
8. For certifying a copy to which item 5 or 7 applies50

APPENDIX "C"

GUIDES

The following instructional Booklets are available:

- (i) Registration Guide
- (ii) Debtor Name Enquiry Guide
- (iii) Deposit Account Guide
- (iv) Motor Vehicle Enquiry Guide

at any Branch Office.

If you wish a set of these four guides to be sent to you by mail, write,

Personal Property Registration Central Office
Ministry of Consumer and Commercial Relations
400 University Avenue, 15th Floor, Forms Dept.
Toronto, Ontario M7A 2J5

and — for each set requested, send a self addressed envelope, minimum size 25.4 cm x 33.02 cm (10" x 13") stamped with sufficient return postage. The weight of one set of guides is 425 gm (15 oz.).

APPENDIX "D"

(This form may be duplicated and used to submit written enquiries to the Central Office)

DATE: _____

ENQUIRY REQUEST

PRINT (BLOCK LETTERS ONLY) OR TYPE (CAPITAL LETTERS ONLY)

PART I COMPLETE A, B, C OR D TO SHOW TYPE OF ENQUIRY REQUIRED

(COMPLETE ONE FORM
FOR EACH ENQUIRY)

A ☐ MOTOR VEHICLE SERIAL NUMBER ENQUIRY

SERIAL NUMBER

B ☐ INDIVIDUAL NON SPECIFIC DEBTOR NAME ENQUIRY

FIRST NAME

SURNAME (LAST NAME)

C ☐ INDIVIDUAL SPECIFIC DEBTOR NAME ENQUIRY

FIRST NAME

INITIAL

SURNAME (LAST NAME)

DATE OF BIRTH

DAY MONTH YEAR

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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D ☐ BUSINESS DEBTOR NAME ENQUIRY

BUSINESS, CORPORATE, PARTNERSHIP OR OTHER NAME (AS APPROPRIATE)

PART II COMPLETE A, B, OR C TO SHOW TYPE OF RESPONSE REQUIRED

A ☐ VERBAL (FEE \$ 2.00)

B ☐ UNCERTIFIED (PRINTED) (FEE \$ 2.00)

C ☐ CERTIFICATE (FEE \$ 10.00)

PLEASE MAKE YOUR
CHEQUE PAYABLE TO:
TREASURER OF ONTARIO

PART III COMPLETE TO SHOW MAILING ADDRESS FOR RESPONSE

NAME (COMPANY OR INDIVIDUAL)

ATTENTION (IF APPLICABLE)

STREET ADDRESS

CITY, TOWN, ETC.,

PROVINCE

POSTAL CODE

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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APPENDIX “E”

BRANCH FILING OFFICES

(AS PER “BRANCH OFFICE” CODE SHOWN IN THE REGISTRATION NUMBER)

- 01 Barrie; Simcoe (C)
- 02 Belleville, Hastings (C)
- 03 Bracebridge; Muskoka (R)
- 04 Brampton; Peel (R)
- 05 Brantford; Brant (C)
- 06 Brockville; Leeds & Grenville (C)
- 07 Cayuga; Haldimand (J)
- 08 Chatham; Kent (C)
- 09 Cobourg; Northumberland (C)
- 10 Cochrane; Cochrane (D)
- 11 Cornwall; Stormont, Dundas & Glengarry (C)
- 12 Fort Frances; Rainy River (D)
- 13 Goderich; Huron (C)
- 14 Gore Bay; Manitoulin (D)
- 15 Guelph; Wellington (C)
- 16 Haileybury; Timiskaming (D)
- 17 Hamilton; Hamilton-Wentworth (R)
- 18 Kenora; Kenora (D)
- 19 Kingston; Frontenac (C)
- 20 Kitchener; Waterloo (R)
- 21 Lindsay; Victoria (C) and Provisional County of Haliburton (C)
- 22 London; Middlesex (C)
- 23 L’Original; Prescott & Russell (C)
- 24 Milton; Halton (R)
- 25 Napanee; Lennox & Addington (C)
- 26 North Bay; Nipissing (D)
- 27 Orangeville; Dufferin (C)
- 28 Ottawa; Ottawa-Carleton (R)
- 29 Owen Sound; Grey (C)
- 30 Parry Sound; Parry Sound (D)
- 31 Pembroke; Renfrew (C)
- 32 Perth; Lanark (C)
- 33 Peterborough; Peterborough (C)
- 34 Picton; Prince Edward (C)
- 35 Thunder Bay, Thunder Bay (D)
- 36 St. Catharines; Niagara North (J)
- 37 St. Thomas; Elgin (C)
- 38 Sarnia; Lambton (C)
- 39 Sault Ste. Marie; Algoma (D)
- 40 Simcoe; Norfolk (J)
- 41 Stratford; Perth (C)
- 42 Sudbury; Sudbury (D)
- 43 Toronto; York (J)
- 44 Walkerton; Bruce (C)
- 45 Welland; Niagara South (J)
- 46 Whitby; Durham (R)
- 47 Windsor; Essex (C)
- 48 Woodstock; Oxford (C)
- 88, 89, 90 Central Registration Branch (Mailed-in Registrations)

(C) County

(D) District

(R) Regional or District Municipality

(J) Judicial District

APPENDIX "F"

LETTER IDENTIFICATION PHRASES (LIP's)

A for ADAM	N for NANCY
B for BOB	O for OCEAN
C for CHARLIE	P for PETER
D for DAVID	Q for QUEEN
E for EASTER	R for ROGER
F for FRANK	S for SUSAN
G for GEORGE	T for TENNIS
H for HENRY	U for UNION
I for ISLAND	V for VICTORIA
J for JOHN	W for WILLIAM
K for KING	X for X-RAY
L for LOLA	Y for YELLOW
M for MARY	Z for ZEBRA

Government Publications

Routing Slip

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Serials Dept.

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Science and Medicine Library

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☐

OR

3. If classed in the Social sciences, send uncatalogued to

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4. Send to Gifts

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Remarks:



3 1761 11469492 0